

**Vermont Agency of Natural Resources
Department of Environmental Conservation**

**NOTICE OF COMPLETED APPLICATION AND PUBLIC HEARING
WATERBURY HYDROELECTRIC PROJECT**

Green Mountain Power of Colchester, Vermont has initiated the process to obtain a new license from the Federal Energy Regulatory Commission to continue to operate the existing Waterbury Hydroelectric Project on the Little River.

The facility is located at the Waterbury Dam on the Little River, approximately 2.7 miles upstream of the river mouth and two miles northwest of the Waterbury Village. The dam impounds Waterbury Reservoir. The powerhouse tailraces discharge to a pool located in the approximate location of the original river channel.

As part of this process, the Agency of Natural Resources (ANR) is reviewing an application for a Clean Water Act §401 Water Quality Certification, required pursuant to the provisions of Section 401 of the federal Clean Water Act, 33 USC §1341.

The applicant proposes for the Waterbury facility to modify operations at the project to a run-of-river facility. As part of the proposal the applicant will upgrade the turbine with a runner that will operate over a lower flow range and bypass flow pipe to maintain conservation flows during non-generations that will protect water quality and aquatic habitat downstream of the facility.

The applicant must demonstrate that the project will be in compliance with the Vermont Water Quality Standards by not having an undue adverse impact on the aquatic environment, or the designated and existing uses of the waters of the State. ANR's tentative determination is to grant the certification with conditions to mitigate impacts on water quality.

Compliance with Anti-Degradation and Water Quality Standards: The Secretary has tentatively determined that the permitted discharges satisfy the Anti-Degradation Policy in the Vermont Water Quality Standards and ANR's Interim Anti-Degradation Implementation Procedure. The Secretary tentatively finds that development and operation of the project will not result in any change in existing physical and water quality conditions beyond those that have already taken place as a result of prior development at the site. Accordingly, the Secretary tentatively finds that the project meets the requirements of the Anti-Degradation Policy and Interim Anti-Degradation Procedure relating to the protection and maintenance of high quality waters. In conducting anti-degradation review, the Secretary must also determine whether there will be an elimination of any existing uses and whether any Outstanding Resource Waters will be impacted by the project. There are no Outstanding Resource Waters impacted by this project. Recreational uses of waters potentially impacted by the project include fishing, swimming, and wildlife observation. With the design and operational requirements in place, the Secretary has tentatively determined that these existing uses, and the water quality necessary to support these uses, will be maintained and protected. In addition, waters potentially affected by the project have existing uses of aquatic biota and wildlife that utilize or are present in the waters and habitat that supports existing aquatic biota, wildlife and plant life. With the design and operational requirement in place, the Secretary has tentatively determined that these existing uses, and the level of water quality necessary to protect these existing uses, will be maintained

and protected. Information relating to the Agency's anti-degradation review may be obtained at the address listed below.

Public Hearing: A public hearing will be held on **December 6, 2014** at the Crossett Brook Middle School, 5672 VT Route 100 in Duxbury from 1:00 to 3:00 pm. Persons having an interest in the project and the affected waters are encouraged to attend and provide oral testimony or written statements and data that would bear on the final water quality certification decision. Written comments will be accepted at the address below, or via e-mail to jeff.crocker@state.vt.us, until **December 6, 2014**.

Copies of the draft certification and Water Quality Standards are available by mail or on the Agency website: <http://www.watershedmanagement.vt.gov/cfm/notices/notices.cfm>.

For information on the application, access to related documents, or copies of the Water Quality Standards, interested persons should contact:

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The hearing room is handicapped accessible.